IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE K.C. BHANU

WRIT PETITION NO : 3718 of 2005

Between:

C. Snankar S/o Laxmanna
R/o Bhainsa, Adilaad District

..... PETITIONER

AND

1 The Secretary to Government,

Law Department, Secretariat,

Hyderabad, and 3 others.

.....RESPONDENTS

ORDER:

Seeking a direction to the respondents to include the names of the Advocates of Bhainsa Bar Association in the Panel for appointment to the post of Assistant Government Pleader for the Court of Senior Civil Judge, Bhainsa, Adilabad District, the present writ petition is filed.

The gist of the affidavit filed by the petitioner is as under:

Petitioner is a practicing Advocate at Bhainsa Junior Civil Judge's Court since 1988. His core grievance is that there are a good number of advocates in Bhainsa Bar, who are qualified for appointment to the post of Assistant Government Pleader, but respondents 3 and 4, without sending any intimation to the Bhainsa Bar, which comes under the jurisdiction of Nirmal Senior Civil Judge's Court, called for applications only from Nirmal Bar.

None appears for the petitioner. Heard learned Government Pleader for Law and Legislative Affairs, and perused the record.

A perusal of the material available on record goes to show that the impugned memorandum has been issued on
21-12-2004 calling for the applications from the eligible candidates within four days. Therefore, it can be said that the exercise shall be completed by 25-12-2004, but the writ petitioner has filed this writ petition on 25-2-2005 i.e., after two months. Neither any representation questioning the impugned memorandum nor any application requesting to include their names in the Panel has been filed either by the petitioner or by the Bar association in question before the learned District Judge concerned, who shall take appropriate decision in accordance with law. In the absence of any objection by the petitioner at that point of time, now it cannot be said that the rights of the petitioner, if any, have been infringed. Therefore, the relief that is sought for in the present writ petition does not survive for adjudication. In view of the same, the writ petition merits dismissal.

Writ Petition is, accordingly, dismissed. No costs.

23-09-2005

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